

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION

In Re:

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Case No.: 09-29642

RONALD R. ROSE
DONNELLA D. ROSE,

*

Chapter 13

Debtors.

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RONALD R. ROSE
DONNELLA D. ROSE

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Movants,

vs.

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CENTRAL CREDIT UNION
of MARYLAND

*

Respondent.

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SERVE ON:

Darlene Terry, V.P. Operations
CENTRAL CREDIT UNION of MARYLAND
8501 LaSalle Avenue
Baltimore, MD 21286
Filed Proof of Claim

LISA M. JESTER, President
Central Credit Union of Maryland
8501 LaSalle Avenue
Baltimore, MD 21286

* * * * *

**MOTION TO DETERMINE SECURED STATUS
PURSUANT TO 11 U.S.C. 506**

Now comes, Ronald R. Rose and Donnell D. Rose, (hereinafter "Debtors"), by and through undersigned counsel, and hereby file this Motion to Determine Secured Status, pursuant to 11 U.S.C. Section 506(a), on Debtors' vehicle and for cause states:

1. This Court has subject matter jurisdiction of this Motion pursuant to

11U.S.C §506(a) and 1322(b) and Fed. Bank. R. 3012 and 9014 and 28 U.S.C. §157(b)(2)(B),(K).

2. On October 14, 2009, the Debtors commenced a case in this Court seeking relief under Chapter 13 of the Bankruptcy code.

The Property

3. The Debtors own an interest in certain personal property scheduled as a 2004 Range Rover HSE, ("the vehicle"). See Schedule B.

Liens

4. The property is encumbered by a security interest in favor of Central Credit Union of Maryland ("Respondent") in the amount of approximately \$46,380.80.

5. The Replacement Value of the property is \$ 18,775.00, which is supported by the NADA Guides at www.nadaguides.com. A copy of the NADA online valuation is attached hereto as Exhibit A.

6. That a reasonable interest rate would be the prime rate, plus 1%, or 6% interest.

WHEREFORE, the Debtors pray this Honorable Court:

Enter an Order pursuant to 11 U.S.C §506 determining the lien of the Respondent herein, against the Debtors' 2004 Range Rover HSE to be secured in the amount of \$18,775.00 and unsecured for the balance owed.

Enter an Order to allow payment of the secured value of collateral through the Chapter 13 Plan with an interest rate of 6%.

That this Court direct the Respondent to remove and release its recorded interest from the public record upon successful completion of this Chapter 13 case.

That this Court grants the Debtors such other and further relief as is just.

Date: October 30, 2009

/s/ Adam M. Freiman

Adam M. Freiman, Fed. Bar No. 23047
Sirody Freiman & Feldman, P.C.
1777 Reisterstown Road, Suite 360
Baltimore, Maryland 21208
(410) 415-0445

Counsel for Debtors/Movants

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this, the 30th day of October 2009, a copy of the foregoing *Motion to Determine Secured Status Pursuant to 11 U.S.C. § 506* and Proposed Order was mailed first-class, postage prepaid to:

Darlene Terry, V.P. Operations
Central Credit Union of Maryland
8501 LaSalle Avenue
Baltimore, MD 21286
Filed Proof of Claim

via Certified Mail to:

Lisa M. Lester, President
Central Credit Union of Maryland
8501 LaSalle Avenue
Baltimore, MD 21286

and electronically served upon:

Ellen W. Cosby, Chapter 13 Trustee
P.O. Box 20016
Baltimore, MD 21284-0016

/s/ Adam M. Freiman

Adam M. Freiman, Esquire